



# Town of Groton, Connecticut

## Meeting Minutes

### Town Council Committee of the Whole

45 Fort Hill Road  
Groton, CT 06340-4394  
Town Clerk (860)441-6640  
Town Manager  
(860)441-6630

**Mayor Harry A. Watson, Councilors Dean Antipas, Kathryn M. Brown-Tracy, Bruce S. Flax, Catherine Kolnaski, Deborah B. Monteiro, Frank O'Beirne, Jr., Rita M. Schmidt, and Paulann H. Sheets**

**Tuesday, June 23, 2009**

**6:00 PM**

**Town Hall Annex - Community Room 1**

#### **SPECIAL MEETING - REVISED**

#### **1. CALL TO ORDER**

*Mayor Watson called the meeting to order at 6:01 p.m.*

#### **2. ROLL CALL**

Members Present: Mayor Watson, Councilor Antipas, Councilor Flax, Councilor Kolnaski, Councilor Monteiro, Councilor O'Beirne, Jr., Councilor Schmidt and Councilor Sheets  
Members Absent: Councilor Brown-Tracy

#### **3. Calendar and Communications**

*Councilor Sheets recognized the passing of Priscilla Pratt and noted the date of her funeral.*

#### **4. Approval of Minutes**

##### **2009-0156 Approval of Minutes (Committee of the Whole)**

##### **RESOLUTION ACCEPTING COMMITTEE OF THE WHOLE MINUTES**

RESOLVED, that the minutes of the Town Council Committee of the Whole meeting of June 9, 2009 are hereby accepted and approved.

**A motion was made by Councilor Kolnaski, seconded by Councilor Monteiro, to adopt.**

**The motion carried by the following vote:**

**Votes:** In Favor: 6 - Mayor Watson, Councilor Antipas, Councilor Flax, Councilor Kolnaski, Councilor Monteiro and Councilor Schmidt  
Abstain: 2 - Councilor O'Beirne, Jr. and Councilor Sheets

#### **5. NEW BUSINESS**

##### **2008-0174 National Park Service - American Battlefield Protection Program**

##### **Discussed**

*Dr. Kevin McBride of the Mashantucket Museum and Research Center reminded the Council of his previous presentation. A draft final report has been submitted to the Town Manager's office along with a list of the Town-owned properties for which Dr. McBride is seeking permission to do archaeological surveys. The first phase of the project was a planning and consensus-building grant. The project has now been funded for another two years. This is the only effort to preserve a 17th century battlefield. The ultimate goal is to preserve battlefields through community involvement and there are no impacts to property owners associated with the preservation aspect. Properties owners must grant permission and can withdraw that permission at any time. Dr. McBride noted that challenge in this effort to define the "boundaries" of the battlefield since there were numerous sites associated with the Pequot War in New York, Connecticut and Rhode Island. This effort has been narrowed to a few sites including the Mystic Fort and the retreat path.*

*There are three phases to the project: identification of primary sources; documentation; and fieldwork. Fieldwork relies on metal detection, which is challenging because unlike more modern battles, there will be very few artifacts. The Pequot War took place over 18 months with thousands of combatants. The study concentrates on the Mystic Fort campaign, which followed*

*the Pequot attack on Wethersfield. Most landowners have been supportive and cooperative of the effort and many letters have been written to address fears and concerns. The Pequot Fort location was marked by the former John Mason statue, but the fort was only a part of the battle. Dr. McBride described the English retreat and the many skirmishes that occurred in various locations, many of which fall within Town-owned properties.*

*The plan is to begin a series of metal detection surveys (looking for lead shot and brass points) in late July or early August. Standard archaeological surveys will be conducted at the top of Pequot Hill, which involves private properties. Fieldwork will occur August-November and then resume in the spring.*

*Dr. McBride is seeking permission from the Town of Groton to conduct surveys on Town lands. Town Manager Oefinger noted a list of the Town properties and an associated map were included in the agenda packet.*

*Councilor Brown-Tracy arrived at 6:25 p.m.*

**Roll Call:** Members Present: Mayor Watson, Councilor Antipas, Councilor Brown-Tracy, Councilor Flax, Councilor Kolnaski, Councilor Monteiro, Councilor O'Beirne, Jr., Councilor Schmidt and Councilor Sheets

**Discussed**

*Councilor Sheets asked what the relationship is between this effort and the Groton Historical Society as far as any artifacts recovered. Dr. McBride stated he is currently forming partnerships with local historical societies. Education and preservation issues are the final phase of the project and Dr. McBride would like to develop materials in association with local agencies. He is advocating that the materials stay in the communities where they are found. The final piece of the effort is the preservation of the property itself if owners want to give permission to have the property listed in the National Register of Historic Places. Doing so places no restrictions whatsoever on the landowner.*

*Councilor Antipas questioned the grant application's description of developing a long-term plan to address "threats" to resources and noted that idea may cause people to be concerned. Councilor O'Beirne had asked for legal assurances back in August that land would not be taken from property owners. Dr. McBride noted this has been a concern of most landowners. He assured the Council that there has never been a case where property was taken. The National Park Service will sometimes purchase lands. All participation in the effort is voluntary. The term "threat" applies to anything that will impact the integrity of an historical site.*

*Dr. McBride noted that this project also offers an opportunity to work with the schools in the September through November timeframe. Mayor Watson asked for periodic updates on the project.*

**A motion was made by Councilor Kolnaski, seconded by Councilor Monteiro, to authorize the Town Manager to sign the permission letter for surveys of the Town-owned properties identified by Dr. McBride.**

**The motion carried unanimously**

**2009-0007**

**Labor Negotiations (2009 Standing Referral)**

**A motion was made by Mayor Watson, seconded by Councilor Kolnaski, that the members of the Town Council, together with Town Manager Mark Oefinger, Director of Administrative Services Doug Ackerman, Manager of Labor Relations Joyce Sauchuck, and Attorney Eileen Duggan go into executive session at 6:42 p.m. for the purpose of discussing strategy and/or negotiations with respect to collective bargaining concerning the CILU-GMEA bargaining unit. This action is taken without prejudice to the Council's right to discuss these matters in a private meeting pursuant to Connecticut General Statutes Section 1-200(2).**

**The motion carried unanimously**

**Discussed**

*The executive session concluded at 7:05 p.m.*

*Town Attorney Eileen Duggan noted that the GMEA bargaining unit has approved two options that were discussed in executive session. It was recommended that the two-year agreement be approved.*

**A motion was made by Mayor Watson, seconded by Councilor Monteiro, to Recommend for Resolution approval of a two-year agreement with the GMEA bargaining unit and the funds necessary to implement that agreement.**

**The motion carried unanimously**

**2008-0121 Condition of Chipperini Property on Library Street**

**A motion was made by Mayor Watson, seconded by Councilor Schmidt, to enter executive session at 7:08 p.m. to discuss the condition of the Chipperini Property on Library Street, and to invite Town Attorney Mike Carey and Town Manager Mark Oefinger to attend.**

**The motion carried unanimously**

**Discussed**

*The executive session concluded at 7:59 p.m.*

*Mayor Watson explained that the purpose of the executive session was to discuss pending litigation. An in-depth public presentation by the Town Attorney on this subject is planned for the July 14th Committee of the Whole meeting.*

**2009-0154 Grove Avenue Subdivision/Mardie Lane**

**A motion was made by Mayor Watson, seconded by Councilor Monteiro, to enter executive session at 8:01 p.m. to discuss potential claims and existing litigation associated with the Grove Avenue Subdivision, and to invite Town Attorney Mike Carey, Town Manager Mark Oefinger, and Director of Planning and Development Services Mike Murphy to attend.**

**The motion carried unanimously**

*The executive session concluded at 8:37 p.m. The Committee took a five minute recess.*

**2009-0125 Eastern Point School Property Lease**

**Discussed**

*Town Manager Oefinger explained that the attorneys for the Town and LEARN are still working on the draft lease. The Manager expects to have it available for review with the Council at a special meeting or the next Committee of the Whole meeting.*

**2009-0165 Naming of G&S Trolley Trail**

**Discussed**

*Jerry Lokken, Manager of Recreation Services, described the location of the Lily Lane trail. Lily Lane is the name of the right-of-way, not the trail itself. This proposal is to name the bike trail that was recently upgraded the G&S Trolley Trail. Research has shown that this was the historical route of the Groton and Stonington Trolley line, which presents an opportunity for interpretive signage. This proposal was reviewed and recommended by the Parks and Recreation Commission. Councilor Sheets complimented the trail and the history provided with the referral.*

**A motion was made by Councilor Antipas, seconded by Councilor Schmidt, that this matter be Recommended for a Resolution.**

**The motion carried unanimously**

**2009-0163 Introduction of an Ordinance on the Thames Street Rehabilitation Project**

**Referred**

*Mayor Watson noted he would be introducing the ordinance at tonight's special meeting of the Town Council.*

**2009-0164 Resolution Setting a Public Hearing Date on an Ordinance on the Thames Street**

**Rehabilitation Project**

A motion was made by Councilor Schmidt, seconded by Councilor Brown-Tracy, that this matter be Recommended for a Resolution.

The motion carried unanimously

**2009-0167 Fiscal Impact Statement - Thames Street Rehabilitation Project**

Discussed and Recommended no action taken

*Cindy Landry, Accounting Manager/Town Treasurer, explained that the Town's Debt Policy requires that information be provided to the Town Council on the fiscal impact of the Thames Street Rehabilitation project. Ms. Landry explained the information which includes a bond payment schedule for the \$10,725,000 funding; current, pending and proposed debt service payments; and a comparison of current debt to statutory debt limit and Town Council policy. The Town Manager noted this item is for informational purposes only.*

**2009-0159 Sandy Hollow Road Alterations - Leuba Property**

Discussed

*Town Manager Oefinger explained that modifications were made to property on Sandy Hollow Road to create an access for a forestry operation (removal of diseased trees). A portion of stone wall was removed. Although the forester intends to replace the wall, a public hearing is still required. Mr. Chris Casadei, the forester, described the temporary alterations and indicated that the job has been completed. In response to a question, Mr. Casadei stated that he was aware that Sandy Hollow is a scenic road, but he did not know the stipulations. Mr. Casadei noted that he removed stones within what was an historic accessway. It would be in the property owners' best interests to leave the access open, but Mr. Casadei is willing to make improvements if necessary.*

*Town Manager Oefinger explained that the Town Council will have to determine if it is acceptable to leave the property the day that it is or some other form, if that is what the property owners are proposing. The Town Manager asked Mr. Casadei to provide a sketch if the owners would like to leave the access in place and he added that the Town can not preclude access to the property. As a result of this situation, the staff may be proposing some modifications to the ordinance in the future to improve it.*

**2009-0160 Resolution Setting a Public Hearing to Consider Alterations on Sandy Hollow Road (Leuba)**

A motion was made by Mayor Watson, seconded by Councilor Antipas, that this matter be Recommended for a Resolution.

The motion carried unanimously

**2009-0111 Fire Districts PILOT Program**

Discussed and Recommended no action taken

*Town Manager Oefinger asked for direction from the Council since checks will be issued to the Fire Districts soon for PILOT funds unless the Council wants to reserve the right to hold back funds to encourage participation in a Town-wide fire assessment. It is the Town's responsibility to make sure that we have adequate fire coverage, but it is not a service that the Town provides. Discussion followed on past efforts to bring the various fire districts together. Councilor Sheets suggested inviting the chiefs in to meet with the Town Council so the Town can explain its interest in a Town-wide assessment. Councilor Antipas recommended bringing it up again next year. The consensus of the Council was to make the PILOT payments as scheduled. Councilor Schmidt noted that there are OSHA regulations that govern how fire departments operate and the Council should have copies. The Mayor will meet with the Town Manager about inviting the fire chiefs to a meeting in the near future.*

**2009-0161 SEA-CMEEC Proposed Electric Generating Facilities**

Discussed

*The Town Manager explained that this item is for informational purposes and will be brought*

before the Council in the near future to modify an existing easement area for one of the facilities. A presentation has been made to the Planning Commission. The activity is subject to Siting Council review, not local land use regulatory review. The two diesel-fueled facilities will utilize urea for pollution control.

Tom Solinsky of Connecticut Municipal Energy Co-Op (CMEEC) (of which Groton Utilities is a member) outlined the proposed to install four state-of-the-art diesel electric generators with air pollution controls at two locations in the Town. CMEEC currently operates 11 similar units utilizing a 32.5% - 40% concentration urea liqueur, which is considered a non-hazardous material. Councilor Sheets questioned the form of the urea. Mr. Solinsky noted this is not aqueous ammonia which is a hazardous chemical. Mr. Solinsky described the process for delivering, mixing, and storing the urea. The units will also use ultra low sulfur diesel and the urea will reduce emissions. In addition, particulate matter will be reduced through an advanced control unit.

The Town Manager described the site locations. Mr. Solinsky noted that the permitting process for natural gas would have required very tall stacks, which was not practical. Councilor Sheets distributed excerpts from Siting Council statutes and stated that although local commissions can not rule on need, they can regulate the site, which can then be overruled by the Siting Council, but there are time limits.

No action is required on this item.

2009-0169

#### **Climate Showcase Communities Grant Program**

##### **Discussed**

Councilor Sheets explained that this is a competitive grant opportunity from the Environmental Protection Agency. To be eligible for the grant, the Town must send a letter of intent by July 1st. Councilor Sheets distributed information about the grant and noted that the Climate Change Task Force is having a special meeting on June 30th to brainstorm an application. Councilor Sheets requested authorization for the Town Manager to send a letter of intent by July 1st so that a grant application can be submitted by July 22nd.

Town Manager Oefinger noted that this is a nation-wide solicitation and 50% matching funds are required. Councilor Sheets stated this can be in-kind contribution including staff and volunteer time. Councilor O'Beirne feels this is jumping the gun and he can not support it. Mayor Watson noted that the notice of intent will give the Task Force time to come up with a proposal. Councilor Monteiro agreed with Councilor O'Beirne and indicated that she would not vote in favor of anything that costs the Town money and she does not believe that we can meet the match with in-kind contributions. She also pointed out that the information provided says that the letter of intent is "optional."

By a show of hands, the majority of the Council supported authorizing the Town Manager to send a letter of intent.

#### **6. ADJOURNMENT**

A motion was made by Councilor Sheets, seconded by Councilor Kolnaski, to adjourn the meeting at 9:58 p.m.

The motion carried unanimously.